THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10412 of 2007

Dated: 17-07-2007

Between:

Makkina Emerlayamma.

..... PETITIONER

AND

The Mandal Revenue Officer, Vijayawada, and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10412 of 2007

ORDER:

The petitioner is resident of Ambapuram, Vijayawada Rural Mandal, Krishna District. She alleges that her father-in-law occupied an extent of Ac.1.00 in survey No.93 situated at P.Nainavaram Village three decades ago and was cultivating the same. After death of her father-in-law, the petitioner came to occupy the land and enjoying the same. On 11.05.2007, first respondent allegedly went to the petitioner's land and directed her to handover possession without initiating any action as per law. Therefore, she filed instant writ petition for declaration and consequential direction.

After getting instructions, the learned Assistant Government Pleader for Revenue (General-A) submits that the petitioner is in occupation of the land in survey No.93, which is classified as tank poramboke, and therefore, necessary steps are being taken to evict her. He denied further allegations made in the writ affidavit. Therefore, this Court observes that even if the petitioner is in possession of the land which is classified as tank poramboke, she can be evicted only after issuing notice to her informing the reasons for eviction.

The writ petition, with the above observations, is accordingly disposed of. No costs.

_____

(**V.V.S.RAO, J**)

17th July, 2007

ghn